

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Page 1 of 2
Docket No. SURR.08

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL OPTICAL ARCHITECTURES FOR MICROVOLUME LASER-SCANNING CYTOMETERS the specification of which:

- ☐ is attached hereto.
☒ was filed on AUGUST 20, 1999 as United States Application No. 09/378,259 or PCT International Application Number and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number: Country: Date Filed: (day/mo/yr) Priority not claimed ☐

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: Filing Date: (mo/day/yr)
60/097,506 08/21/98

I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No. Filing Date:

Application Serial No. Filing Date:

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215 Rosemary P. Kellogg, #39,726
Thomas D. Bratschun, #32,966 Margaret M. Wall, #33,462

Address all telephone calls to: Barry J. Swanson at telephone number (303) 793-3333
Address all correspondence to: Barry J. Swanson
Swanson & Bratschun, L.L.C.
8400 E. Prentice Ave., Suite 200
Englewood, CO 80111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Louis J. Dietz

Inventor's signature: Louis J. Dietz
Residence: Mountain View, California
Post Office Address: 550 S. Shoreline Boulevard
Mountain View, California 94303

Date: 9/14/99
Citizenship: US

☒ Additional inventors are being named on separately numbered sheets attached hereto.

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

Page 2 of 2
Docket No. SURR.08

ADDITIONAL INVENTORS

Full name of second joint inventor (given name, family name): Ian Walton

Inventor's signature: [Signature]

Residence: Redwood City, California

Post Office Address: 346 Lakeview Way
Redwood City, California 94062

Date: 9/14/99

Citizenship: US

Full name of third joint inventor (given name, family name): Scott Norton

Inventor's signature: [Signature]

Residence: Mountain View, California

Post Office Address: 600 Rainbow Drive, #149
Mountain View, California 94041

1232-E Vicente Dr.
Sunnyvale, CA 94086

Date: 9/14/99

Citizenship: US

C:\WPDOCS\Surromed\Surr08\declaration.wpd\ tec